



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/591,227

08/31/2006

Haseeb Akhtar

NRT.0132US

6645

21906 7590 05/21/2010
TROP, PRUNER & HU, P.C.
1616 S. VOSS ROAD, SUITE 750
HOUSTON, TX 77057-2631

EXAMINER

CHUGHAI, SARWAT

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

05/21/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/591,227	Applicant(s) AKHTAR, HASEEB	
	Examiner Sarwat Chughtai	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: The disclosure lacks the proper sections with associated headings.

Appropriate correction is required.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses

Art Unit: 2617

a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch (US 7,277,423 B1) in the view of Andersson et al. (US 6,434,380 B1 hereinafter Andersson).

Regarding claim 1, Welch discloses, A method of communicating in a wireless network (**See Abstract, Column 1, Lines 9-11, Column 4, Lines 45-52 and Figure 1; whereas Welch discloses, a method and system, where the communication system is arranged to provide packet-based real time media conferencing**), comprising:

a packet-switched real-time, interactive communications application, resources of at least one node of the wireless network (**See Abstract and Column 1, Lines 9-11; whereas Welch discloses a packet-based real time media session such as push-to-talk**);

receiving a first call setup request (**See Column 10, Lines 45-54 and Figure 6; whereas Welch disclose, a station receives a users request to initiate a packet-based real-time media session**); and

establishing, in response to the first call setup request, a packet-switched real-time, interactive communications session through the wireless network using the data connection of the at least one node (**Column 10, Lines 44-60 and Figure 6; whereas Welch discloses, the station determines that real-time media session has been established, successfully acquiring data connection by determining that it has received incoming packets data from the network**).

Welch explicitly fails to discloses, pre-allocating the resources and the pre-allocated resources comprising resources normally allocated in response to a call setup request, wherein the pre-allocated resources include resources relating to a link with a predetermined quality of service.

However, Andersson discloses, pre-allocating the resources (**See Column 11, Lines 1-12; whereas Andersson discloses, pre-allocate and pre-configure resources for services**) and the pre-allocated resources comprising resources normally allocated in response to a call setup request, wherein the pre-allocated resources include resources relating to a link with a predetermined quality of service (**See Abstract, Column 10, Lines 52-67- Column 11, Lines 1-13 and Lines 36-55; whereas Andersson discloses, the services that are most frequently requested and used by the resource control procedure are pre-allocated and pre-configured for those services. The system can pre-**

Art Unit: 2617

allocate and configure resources for voice calls and store the voice channel in the pool of pre-configured resources so during the call establishment procedure the voice channels are picked up from the pool. these resources are mainly kept in relation to the traffic profile).

Therefore it would have been obvious to one of the ordinary skills in the art at the time the invention was made to modify Welch with the teachings of Andersson, so radio network controller (RNC) or BSC has the processes for allocation resources for a call involving a user equipment unit (UE) **(See Column 1, Lines 33-55).**

Regarding claim 13, Welch discloses, A system comprising: an interface to a communications network **(See Abstract, Column 1, Lines 9-11, Column 4, Lines 45-52 and Figure 1; whereas Welch discloses, a method and system, where the communication system is arranged to provide packet-based real time media conferencing); and**

a controller coupled to the interface **(See Column 6, Lines 25-39 and Figure 3; whereas Welch discloses, BSC) to:**

receive a request in the system to a packet-switched real-time, interactive application **(See Column 10, Lines 45-54 and Figure 6; whereas Welch disclose, a station receives a users request to initiate a packet-based real-time media session);**

in response to the request, began acquiring data connection for call setup in the system **(Column 10, Lines 44-60 and Figure 6),** wherein the call setup

Art Unit: 2617

enable the data connection establishment of an Internet Protocol (IP) route

(Column 7, Lines 4-17 and column 10, Lines 8-13; whereas Welch

discloses, mobile-IP address for communicating with other entities);

receive a call setup request **(See Column 10, Lines 45-54 and Figure 6);**

and

in response to the call setup request, set up a packet-switched real-time, interactive communications session using the data connection **(Column 10, Lines 44-67 and Figure 6; whereas Welch discloses, the station determines that real-time media session has been established).**

Welch explicitly fails to discloses, pre-allocating call setup resources and having a particular quality of service.

However, Andersson discloses, pre-allocating call setup resources **(See Column 11, Lines 1-12; whereas Andersson discloses, pre-allocate and pre-configure resources for services)** and having a particular quality of service **(See Abstract, Column 10, Lines 52-67- Column 11, Lines 1-13 and Lines 36-55; whereas Andersson discloses, The system can pre-allocate and configure resources for voice calls and store the voice channel in the pool of pre-configured resources so during the call establishment procedure the voice channels are picked up from the pool. These resources are mainly kept in relation to the traffic profile such as traffic load peak).**

Therefore it would have been obvious to one of the ordinary skills in the art at the time the invention was made to modify Welch with the teachings of Andersson, so radio network controller (RNC) or BSC has the processes for

Art Unit: 2617

allocation resources for a call involving a user equipment unit (UE) which includes the processes for allocating such resources as power, bitrates etc. **(See Column 1, Lines 33-55).**

Regarding claim 19, Welch discloses, An article comprising at least one storage medium containing instructions **(See Column 9, Lines 50-67 –Column 10, Lines 1-20 and Figure 5; whereas Welch discloses, data storage in the server hold machine language instructions)** that when executed cause a system to:

receive a request for a packet-switched real-time, interactive application **(See Column 10, Lines 45-54 and Figure 6; whereas Welch disclose, a station receives a users request to initiate a packet-based real-time media session);**

in response to the request, begin acquiring data connection and store information pertaining to the data connection in a storage **(Column 10, Lines 1-20 and Lines 44-67 and Figure 6; whereas Welch discloses, the station determines that real-time media session has been established, successfully acquiring data connection by determining that it has received incoming packets data from the network); and**

subsequent to acquire data connection, process a call setup request using data connection **(Column 10, Lines 44-67 and Figure 6; whereas Welch discloses, the station determines that real-time media session has been**

Art Unit: 2617

established, successfully acquiring data connection by determining that it has received incoming packets data from the network).

Welch explicitly fails to disclose, pre-allocating the resources and the pre-allocated resources normally allocated during a call setup procedure, wherein the pre-allocated resources enable avoidance of allocating the resources during a call setup procedure, wherein the pre-allocated resources include resources related to a link with a predetermined quality of service.

However, Andersson discloses, pre-allocating the resources **(See Column 11, Lines 1-12; whereas Andersson discloses, pre-allocate and pre-configure resources for services)** and the pre-allocated resources normally allocated during a call setup procedure , wherein the pre-allocated resources enable avoidance of allocating the resources during a call setup procedure **(See Abstract, Column 11, Lines 1-13 and Lines 36-55)**, wherein the pre-allocated resources include resources related to a link with a predetermined quality of service **(See Abstract, Column 10, Lines 52-67- Column 11, Lines 1-13 and Lines 36-55; whereas Andersson discloses, the services that are most frequently requested and used by the resource control procedure are pre-allocated and pre-configured for those services. The system can pre-allocate and configure resources for voice calls and store the voice channel in the pool of pre-configured resources so during the call establishment procedure the voice channels are picked up from the pool. These resources are mainly kept in relation to the traffic profile such as traffic load peak).**

Art Unit: 2617

Therefore it would have been obvious to one of the ordinary skills in the art at the time the invention was made to modify Welch with the teachings of Andersson, so radio network controller (RNC) or BSC has the processes for allocation resources for a call involving a user equipment unit (UE) which includes the processes for allocating such resources as power, bitrates etc. **(See Column 1, Lines 33-55).**

Regarding claim 2, the combination teaches everything claimed as implemented above (see claim 1), In addition Welch discloses, comprises one of a base transceiver system and base station controller **(See Column 6, Lines 25-39 and Figure 3).**

Regarding claim 3, the combination teaches everything claimed as implemented above (see claim 1), in addition Welch discloses, a packet data serving node **(See Column 6, Lines 25-39 and Figure 3).**

Regarding claim 4, the combination teaches everything claimed as implemented above (see claim 1), In addition Welch discloses, at least one of a press-to-talk server, voice-over-Internet Protocol server, and a call session control function module **(See Column 6, Lines 7-24 and Figure 3; whereas Welch discloses, instant connect service such as PTT).**

Regarding claim 5, the combination teaches everything claimed as

Art Unit: 2617

implemented above (see claim 1), In addition Welch discloses, comprises the link between the at least one node and a second node in the wireless network to carry call control packets for the packet-switched real-time, interactive communications application, wherein the link comprises a dedicated channel **(See Column 6, Lines 63-67- Column 7, Lines 17; whereas Welch discloses, common air interface channel or supplemental channels).**

Regarding claim 6, the combination teaches everything claimed as implemented above (see claim 1), In addition Welch discloses, wherein the dedicated channel between the at least one node and the second node in the wireless network to carry packets for the packet-switched real-time, interactive communications application comprises one of a T1/E1 trunk, Ethernet link, and IP route **(Column 7, Lines 4-17 and column 10, Lines 8-13; whereas Welch discloses, mobile-IP address for communicating with other entities).**

Regarding claims 7-9, the combination teaches everything claimed as implemented above (see claim 1), In addition Welch discloses, wherein pre-allocating the resources comprises pre-allocating binding information of a mobile station, the binding information **(See Abstract, Column 10, Lines 52-67- Column 11, Lines 1-13 and Lines 36-55; whereas Andersson discloses, the services that are most frequently requested and used by the resource control procedure are pre-allocated and pre-configured for those services. The system can pre-allocate and configure resources for voice calls and**

Art Unit: 2617

store the voice channel in the pool of pre-configured resources so during the call establishment procedure the voice channels are picked up from the pool), the method further comprising:

storing the binding information in a base station controller **(See Column 4, Lines 20- 48) ; and**

using the binding information stored in the base station controller for establishing the call setup **(See Column 4, Lines 20- 48; whereas Anderson discloses, capacity management system and agent residence section located in RNC).**

Regarding claim 10, the combination teaches everything claimed as implemented above (see claim 1). In addition Andersson discloses, in response to an event, pre-allocate resources to the at least one node, wherein pre-allocating the resources is performed **(See Abstract, Column 10, Lines 52-67- Column 11, Lines 1-13 and Lines 36-55; whereas Andersson discloses, in response to the information in the traffic profile, the most frequently requested services and used by the resource control procedure are pre-allocated and pre-configured for those services).**

Regarding claims 11 and 12, the combination teaches everything claimed as implemented above (see claim 1). In addition Andersson discloses, wherein sending the request to pre-allocate is performed during a provisioning process **(See Abstract, Column 10, Lines 52-67- Column 11, Lines 1-13 and Lines 36-**

Art Unit: 2617

55; whereas Andersson discloses, the services that are most frequently requested and used by the resource control procedure are pre-allocated and pre-configured for those services. The system can pre-allocate and configure resources for voice calls and store the voice channel in the pool of pre-configured resources so during the call establishment procedure the voice channels are picked up from the pool).

Regarding claim 14, the combination teaches everything claimed as implemented above (see claim 13). In addition Andersson discloses, the pre-allocated resources include at least one of hardware, software, and communications elements of the system **(See Abstract, Column 10, Lines 52-67- Column 11, Lines 1-13 and Lines 36-55)**, wherein the pre-allocated call setup resources enable avoidance of allocating the pre-allocated resources during a call setup procedure **(See Abstract, Column 10, Lines 52-67- Column 11, Lines 1-13 and Lines 36-55; whereas Andersson discloses, the system can pre-allocate and configure resources for voice calls and store the voice channel in the pool of pre-configured resources so during the call establishment procedure the voice channels are picked up from the pool. These resources are mainly kept in relation to the traffic profile such as traffic load peak).**

Regarding claims 15, the combination teaches everything claimed as implemented above (see claim 13). In addition Andersson discloses, the pre-

Art Unit: 2617

allocated resources include at least one of user-related information, binding information, and mobility information, the system further comprising a storage to store the at least one of user-related information, binding information, and mobility information **(See Column 4, Lines 20- 48; whereas Anderson discloses, capacity management system and agent residence section located in RNC).**

Regarding claim 16, the combination teaches everything claimed as implemented above (see claim 1), in addition Welch discloses, comprises a dedicated channel between the system and another node in a wireless network **(See Column 6, Lines 63-67- Column 7, Lines 17; whereas Welch discloses, common air interface channel or supplemental channels).**

Regarding claim 17, the combination teaches everything claimed as implemented above (see claim 13), In addition Welch discloses, comprising one of a base transceiver system, base station controller, and packet data serving node of a wireless network **(See Column 6, Lines 25-39 and Figure 3).**

Regarding claim 18, the combination teaches everything claimed as implemented above (see claim 13), In addition Welch discloses, wherein the packet-switched real-time, interactive application comprises at least one of a press-to-talk application, voice-over- Internet Protocol application, text chat application, and instant messaging application **(See Column 6, Lines 7-24 and**

Figure 3; whereas Welch discloses, instant connect service such as PTT).

Regarding claim 20, the combination teaches everything claimed as implemented above (see claim 19), In addition Andersson discloses, the pre-allocated resources include at least one of user-related information, binding information, and mobility information, wherein the system comprises a base station controller having the storage to store the at least one of the user-related information, binding information, and mobility information **(See Column 4, Lines 20- 48; whereas Anderson discloses, capacity management system and agent residence section located in RNC).**

Regarding claim 21, the combination teaches everything claimed as implemented above (see claim 19), In addition Welch discloses, wherein the link includes an Internet Protocol (IP) route **(Column 7, Lines 4-17 and column 10, Lines 8-13; whereas Welch discloses, mobile-IP address for communicating with other entities).**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarwat Chughtai whose telephone number is (571)270-7272. The examiner can normally be reached on Monday-Thursday 8:30AM-6:00PM.

Art Unit: 2617

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sarwat Chughtai/
Examiner, Art Unit 2617

/NICK CORSARO/
Supervisory Patent Examiner, Art Unit 2617